

In the Drawings

In accordance with the Examiner's request in the Office Action dated October 6, 2006, item 207 is being relabeled as "DEMUX" rather than "MUX" in Figures 2 and 4. Replacement drawings are included herein.

Remarks

In view of the foregoing amendments and following remarks responsive to the Office Action of October 6, 2006, applicant respectfully requests favorable reconsideration of this application.

Applicant respectfully thanks the Office for the indication that all of the claims are either allowed or merely objected to. Particularly, claims 1, 3, 5, 6, 8-10, and 14 are allowed and claims 2, 7, 12, 13, 16, and 17 are merely objected to.

In section 1 of the Office Action, the Office objected to the disclosure because, in paragraph 25, line 2, and paragraph 32, line 2, the phrases "multiplexer" and "multiplexer 207" should be changed to "demultiplexer" and "demultiplexer 207".

Applicant agrees and has made suitable changes. However, note that paragraph 25 required similar changes in several other instances not particularly identified by the Office. Furthermore, it appears that the reference to paragraph 32, line 2, contained in the Office Action should correctly refer to paragraph 31, line 2.

The Office further objected to the drawings asserting that element 207 in Figures 2 and 4 should be labeled "DEMUX" rather "MUX".

Applicant agrees and submits proposed drawing changes herewith.

In section 3 of the Office Action, the Office objected to claims 2, 7, 12, and 16 as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Specifically, as to claims 2, 12, and 16, the Office asserted that the claims merely recite that the comparator must be connected to the voltage or current values it is

comparing, and that claims 7, 12, and 16 simply recite the definition/function of a comparator. The Office further asserted that claims 2, 12, and 16 merely recite that the comparator must be connected to the values being compared, which is inherent, and that claims 7, 12, and 16 simply recite the definition/function of a comparator (as recited in the independent claims), and therefore, claims 2, 7, 12, and 16 do not further limit the claims from which they depend.

Applicant respectfully traverses because the Office is making the wrong inquiry. Particularly, the Office is considering whether, in a practical sense, there is technology that exists today that could meet the limitations of the independent claim and not meet the limitations of the dependent claim. This is not the proper inquiry. The proper inquiry is simply whether claim 2 contains limitations that are not found in claim 1. Clearly it does.

The Office is reminded of MPEP §608.01(n) III. INFRINGEMENT TEST, which states:

“The test as to whether a claim is a proper dependent claim is that it shall include every limitation of the claim from which it depends (35 U.S.C. §112, fourth paragraph) or in other words that it shall not conceivably be infringed by anything which would not also infringe the basic claim.

A dependent claim does not lack compliance with 35 U.S.C. §112, fourth paragraph, simply because there is a question as to (1) the significance of the further limitation added by the dependent claim, or (2) whether the further limitation in fact changes the scope of the dependent claim from that of the claim from which it depends. The test for a proper dependent claim under the fourth paragraph of 35 U.S.C. §112 is whether the dependent claim includes every limitation of the claim from which it depends. The test is not one of whether the claims differ in scope. (Emphasis added).

Clearly, all of the claims objected to include recitations which are not found in the claim from which they depend. Using claim 2 as an example, in order to determine infringement, one must make an inquiry as to where the inputs and the outputs of the comparator are connected. This inquiry would not be required with respect to claim 1.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. Applicant respectfully requests the Office to issue a Notice of Allowance at the earliest possible date. The Examiner is invited to contact Applicant's undersigned counsel by telephone call in order to further the prosecution of this case in any way.

Respectfully submitted,

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Date

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